

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RICARDO CASTILLO

Plaintiff,

v.

SUPERVISOR FRANK COSTAN, et al.

Defendants.

Civil No. 04-210 GMS

**ORDER**

At Wilmington this 31<sup>st</sup> day of Oct., 2007,

IT IS ORDERED that plaintiff's motion for appointment of counsel (D.I. 21) is denied without prejudice to renew. Plaintiff, a pro se litigant, has no constitutional or statutory right to appointed counsel. *See Parham v. Johnson*, 126 F.3d 454, 456-57 (3d Cir. 1997). It is within this court's discretion, however, to seek representation by counsel for plaintiff, but this effort is made only "upon a showing of special circumstances indicating the likelihood of substantial prejudice to [plaintiff] resulting from [plaintiff's] probable inability without such assistance to present the facts and legal issues to the court in a complex but arguably meritorious case." *Smith-Bey v. Petsock*, 741 F.2d 22, 26 (3d Cir. 1984); *accord Tabron v. Grace*, 6 F.3d 147, 155 (3d Cir. 1993) (representation by counsel may be appropriate under certain circumstances, after a finding that a plaintiff's claim has arguable merit in fact and law). Having reviewed plaintiff's complaint, the court finds that his allegations are not of such a complex nature that representation by counsel is warranted at this time. The various papers and pleadings submitted by plaintiff reflect an ability to coherently present his arguments.

  
CHIEF, UNITED STATES DISTRICT JUDGE

